

JC10 Rec'd PTO 10 NOV 2005

#2  
pgf

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner for Patents, P.O. Box 1450  
Alexandria, VA 22313 on the date shown below:

November 7, 2005

David R. Saliwanchik

David R. Saliwanchik, Patent Attorney

INFORMATION DISCLOSURE  
STATEMENT  
Patent Application  
Docket No. SPO-121  
Serial No. 10/535,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Hisae Kume, Makoto Yamaguchi, Kenji Mizumoto, Hajime Sasaki  
Serial No. : 10/535,585 ✓  
Art Unit : 1645  
Conf. No. : 7558  
Filed : May 18, 2005  
For : Nutritional Compositions

Mail Stop Amendments  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

The above-identified patent application was filed in the U.S. Patent Office as a national phase application under 35 USC §371. A copy of the International Search Report and copies of the references cited therein have been made available in the national phase file; however, for the Examiner's convenience, the applicants are attaching herewith copies of the non-patent references listed on Form PTO/SB/08, as well as a copy of the International Search Report. A form PTO/SB/08 listing the references is also attached. In accordance with 37 CFR §1.56, the applicants hereby request that the references listed on the attached form PTO/SB/08 be made of record and considered in the examination of the subject application.

Docket No. SPO-121  
Serial No. 10/535,585

Please note that Kume H. *et al.* JP 2002-226394 A, dated August 14, 2002 is not available in English. However, the International Search Report contains a concise explanation of the relevance of this citation to the subject application.

The Applicants respectfully assert that the substantive provisions of 37 CFR §§1.97 and 1.98 are met by the foregoing statement.

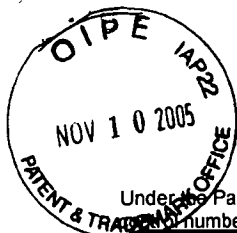
Respectfully submitted,



David R. Saliwanchik  
Patent Attorney  
Registration No. 31,794  
Phone No.: 352-375-8100  
Fax No.: 352-372-5800  
Address : P.O. Box 142950  
Gainesville, Florida 32614-2950

DRS/la

Attachments: Form PTO/SB/08  
Copies of non-patent references cited on Form PTO/SB/08  
Copy of International Search Report



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB number.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

**Complete if Known**

Application Number	10/535,585
Filing Date	May 18, 2005
First Named Inventor	Hisae Kume
Art Unit	1645
Examiner Name	Not yet assigned
Attorney Docket Number	SPO-121

Sheet

1

of

2

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
	U1	US- 5,993,221 A	11-30-1999	Bistrian	All
	U2	US- 5,714,472 A	02-03-1998	Gray <i>et al.</i>	All
	U3	US- 5,198,250 A	03-30-1993	Brillhart, <i>et al.</i>	All
	U4	US-			
	U5	US-			
	U6	US-			
	U7	US-			
	U8	US-			
	U9	US-			

**FOREIGN PATENT DOCUMENTS**

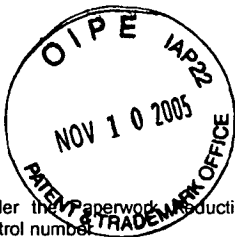
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
	F1	JP 2002-226394	A	Kume H. <i>et al.</i>	Abstract	
	F2					
	F3					
	F4					
	F5					
	F6					
	F7					

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard T.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



PTO/SB/08B (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

**Complete if Known**

Application Number	10/535,585
Filing Date	May 18, 2005
First Named Inventor	Hisae Kume
Group Art Unit	1645
Examiner Name	Not yet assigned
Attorney Docket Number	SPO-121

Sheet 2 of 2

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article, (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	R1	GRIMM, H. <i>et al.</i> "Regulatory Potential of N-3 Fatty Acids in Immunological and Inflammatory Processes" <i>British Journal of Nutrition</i> , 2002, pp. S59-S67, Vol. 87, Suppl. 1.	
	R2	KHALFOUN, B. <i>et al.</i> "Docosahexaenoic and Eicosapentaenoic Acids Inhibit In Vitro Human Endothelial Cell Production of Interleukin-6" <i>Adv. Exp. Med. Biol.</i> , 1997, pp.589-597, Vol. 400B.	
	R3	MAYER, K. <i>et al.</i> "Parenteral Nutrition with N-3 Lipids in Sepsis" <i>British Journal of Nutrition</i> , 2002, pp. S69-S75, Vol. 87, Suppl. 1.	
	R4	WPI Accession No. AN 2003-032691, 2003.	
	R5		
	R6		
	R7		
	R8		
	R9		
	R10		
	R11		
	R12		
	R13		

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.